

**From:** Chris Katscher  
**To:** Microsoft ATR  
**Date:** 11/29/01 10:19am  
**Subject:** Proposed Microsoft settlement: Flies in the face of the monopoly trial!

It is amazing to me that a settlement for the class-action lawsuit, proposed by Microsoft, refereed to here:

Microsoft near settling private suits  
<http://www.msnbc.com/news/660382.asp?cp1=1>

and here:

Microsoft Confirms \$1B Settlement  
<http://www.wired.com/news/antitrust/0,1551,48543,00.html>

is even being considered by the justice department. This is like if Standard Oil proposed to give away its gasoline and used cars to people who didn't have cars yet. Or if Bell telephone proposed to give away free telephone service and used phones to people who didn't have phones yet. Does this not fly in the face of the ongoing DOJ vs. Microsoft case and the various acts on monopoly law: The Sherman Act, 15 U.S.C. 1 (1973), and the Clayton Act, 15 U.S.C. 13 (1973)?

Competitors are naturally outraged by this proposal, here:

Apple Rips Microsoft Settlement  
<http://www.wired.com/news/antitrust/0,1551,48660,00.html>

and have proposed alternate settlements here:

Red Hat Proposes to Enhance Microsoft Settlement Offer By Providing Open Source Software to All U.S. School Districts  
[http://www.redhat.com/about/presscenter/2001/press\\_usschools.html](http://www.redhat.com/about/presscenter/2001/press_usschools.html)

I urge U.S. District Judge J. Frederick Motz to reject this proposed Microsoft crafted settlement, and urge both parties to come up with a settlement that doesn't let Microsoft dictate where the settlement money will go.

Thank you for your time.  
Chris Katscher

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( Chris Katscher at spatch3@yahoo.com )  
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